

May 7, 2008

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA
FILED
08 MAY 12 AM 8:57

Request for Modifying the Conditions of Pretrial Release

Name of Defendant: Kimbrel, Kyle

BY: 

DEPUTY

Dkt No.: 08MJ1161-007

Reg. No.: 08172-298

Name of Judicial Officer: The Honorable Barbara L. Major, U.S. Magistrate Judge

Date Conditions Were Ordered: April 22, 2008

Conditions of Release: a travel restriction to the State of California; report for supervision to Pretrial Services; not possess or use any narcotic drug or other controlled substance without a valid medical prescription; do not possess any dangerous weapon or explosive device; not to possess any firearm, dangerous weapon or destructive device during the pendency of the case; provide a current residence address and phone number prior to release and keep it current while the case is pending; actively seek and maintain full-time employment, schooling, or a combination of both; not drive without a valid driver license; clear all warrants/FTA's within 45 days of release; and live with a parent.

Date Released on Bond: April 25, 2008

Charged Offense: 21 USC § 841(a)(1) and 846: Possession of a controlled substance with intent to distribute and Conspiracy to possess with intent to distribute.

Next Court Hearing: Preliminary Hearing on May 13, 2008, at 2:00 p.m.

AUSA: Stewart Young

Defense Counsel: Martin Molina

Prior Violation History: None.

PETITIONING THE COURT

TO MODIFY THE CONDITIONS OF SUPERVISION AS FOLLOWS:

PRAYING THE COURT WILL ORDER THE DEFENDANT TO SUBMIT TO TREATMENT, AND/OR TESTING, AS SPECIFIED BY THE THE PRETRIAL SERVICES OFFICER FOR DRUGS OR ALCOHOL.

CAUSE

During the defendant's post release interview with our office, the defendant indicated he began using marijuana at the age of eighteen (18). Additionally, the defendant reported, he last used marijuana just prior to his arrest and had been using marijuana almost daily up until then. The defendant's criminal history includes a driving under the influence conviction and reveals failures to comply with court ordered conditions resulting in probation revocations.


The undersigned has contacted the defendant's attorney, Martin Molina, and he indicated to our office he would prefer to address this request at a hearing. The defendant's sureties, his father, Thomas Kimbrel, and mother, Linda Torres, reported to Pretrial Services they do not oppose the modification.

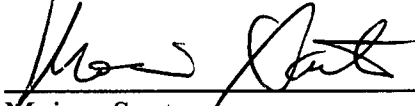
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 7, 2008

Respectfully submitted:

Reviewed and approved:

by 
D. Ryan Alejandria
United States Pretrial Services Officer
(619) 446-3616


Moises Santos
Supervising U.S. Pretrial Services Officer

Attachments

THE COURT ORDERS:

☒ The Modification of Conditions as Noted Above

☒ Other Testing should not exceed ⁶ tests per
month

Barbara L. Major
The Honorable Barbara L. Major
United States Magistrate Judge

5/8/08
Date